<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated October 31, 2006. Claims 11, 17-19 and 25-32 are presented for examination, of which Claims 11, 19, 27, 29 and 31 are in independent form and have been amended to define still more clearly what Applicant regards as his invention. Claims 30 and 32 also have been amended . Claims 13-15 and 21-24 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Figs. 7A and 10 have been corrected as to matters of form. Favorable reconsideration is respectfully requested.

In the Office Action, Claims 11, 17-19 and 25-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,978,557 (Kato). In addition, Claims 29-32 were rejected under 35 U.S.C. § 103(a) as being obvious from *Kato* in view of U.S. Patent 6,912,057 B1 (Idehera).

Independent Claim 11 has been amended to clarify still further what Applicant has intended to claim. Specifically, Claim 11 recites that the output unit outputs, to the first printer, the page in the print information which was determined to be outputted to the first printer, *together with a designation of a first ejection position*, and outputs, to the second printer, the page in the print information which was determined to be outputted to the second printer, *together with a designation of a second ejection position*, and that the controller, when an output destination is changed from the second printer to the first printer based on a discrimination by the discriminating unit, controls the output unit to output, to the first printer, a certain page which is not serial to the previously outputted page to the first printer, together with a designation changed from the designation of the first ejection

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position. Support can be found in Figs. 7A-7C, 8A-8C and 10, and in the specification at page 15, line 26, to page 16, line 20.[1/]

        Kato has been discussed previously. In this regard, Applicant notes that *Kato* relates to a system in which, for each page, a determination is made as to whether any color information is present in the page (see Fig. 4). Any page containing color data is sent to a color printer to be printed, while the other pages are printed at a monochrome printer. The operator can instruct the system to insert a dummy page in each set of printed pages to indicate where one or more pages from the other set need to be inserted (an example of such a dummy page is shown in Fig. 11). If the total size of the job is small, however, the operator may designate that no dummy pages are to be produced. The *Kato* system does *not* provide the user with the ability to designate a particular ejection destination (sorter bin) in the color printer or in the monochromatic printer.

        Thus, Applicant submits that nothing in *Kato* would teach or suggest the recited output unit and controller of Claim 11. That output unit, as mentioned, outputs one page to the first printer *together with a designation of a first ejection position* (in the first printer), and another page to the second printer *together with a designation of a second ejection position* (in the second printer). The controller controls the output unit, when the output destination is changed from the second printer to the first printer, to output, to the first printer, a certain page which is not serial to the previously outputted page to the first printer, together with a designation changed from the designation of the first ejection position.

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[1/] It is of course to be understood that the claim scope is not limited by the details of this or any other particular embodiment that may be referred to.

In the example shown in Figs. 8A-8C, pages 1-3, 5, 8, 9 and 14 are output to the color printer (first printer), and pages 4, 6, 7 and 10-13 are output to the B/W printer (second printer). Page 1 is provided with a designation of a first ejection position (first bin). Pages 2 and 3 are output to the first printer to the same ejection position, and page 4 to the second printer. When the output destination is changed from the second printer to the first printer, the page in question, here page 5 (the "certain page" which is not serial to the previously outputted page, referred to in Claim 11), is not serial to the last page (here, page 3) that was output to the first printer. The current page, page 5, is output to the first printer together with a designation of ejection position (second bin) changed from the designation of the first ejection position (first bin). Applicant submits that nothing in *Kato* would provide any suggestion of such processing, much less of an output unit or a control unit that would be capable of effecting such processing.

Accordingly, Claim 11 is believed to be allowable over *Kato*.

Independent Claims 19 and 27 are method and program claims, respectively corresponding to apparatus Claim 11, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 11.

In the apparatus of Claim 29, the first output unit outputs color print data to the color print control apparatus with a designation of a first ejection destination. When the output destination is changed from the monochromatic print control apparatus to the color one, the first output unit outputs a certain page while maintaining the designation of the first ejection destination, if the page is serial to a previously outputted page, and outputs a certain page together with a designation changed from the designation of the first ejection destination, if the page is not serial to the previously outputted page. The second output

unit executes the similar process for the monochromatic print control apparatus (see the example in Figs. 8A-8C described above).

First, Claim 29 is believed to be clearly allowable over *Kato* taken alone.

Idehara relates to an image forming apparatus that sorts print data into monochromatic pages and color pages, as shown in Figs. 3A-3C. Instead of printing all the pages in order, the image forming apparatus prints all the color pages, and then all the monochromatic pages, or *vice versa*. This is done to avoid having to switch the apparatus between color printing and monochrome printing repeatedly (since each such switch requires time). To facilitate the operator's putting the printed pages into the correct order, the apparatus switches ejection bin whenever it detects a discontinuity in the page numbering. As a result, each bin used contains only consecutively-numbered pages, and the operator need only put the respective sets into the correct order. For this purpose, however, it is noted that *Idehara* provides a complicated bin-switching function (Figs. 2A-2B) for sorting the print data into monochromatic pages and color pages, as shown in Figs. 3A-3C.

What is taught in *Idehara*, thus, is that a printer executes switching between ejection destinations provided in the printer itself. For the reasons set out in his last Amendment, Applicant does not agree that the proposed combination of *Idehara* with *Kato* is a proper one; nonetheless, assuming for argument's sake that such a combination would be proper, no such combination could provide an information processing apparatus which executes switching *between printers*, by means of *the first and second output units* recited in Claim 29.

Independent Claim 31 is a method claim corresponding to apparatus Claim 29, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 29.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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